

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

24 HOUR FITNESS WORLDWIDE, INC., *et al.*,

Debtors.

Chapter 11

Case No. 20-11558 (KBO)

(Jointly Administered)

Re: Docket No. \_\_\_\_\_

**ORDER GRANTING VERIFIED MOTION OF  
HARRY PROVOST, III FOR RELIEF FROM THE AUTOMATIC STAY**

Upon consideration of the motion (the “Motion”) of Harry Provost, III (“Movant”), for entry of an order granting relief from the automatic stay of 11 U.S.C. § 362(a) allowing Movant to proceed with personal injury litigation (the “SD Texas Action”) pending in the United States District Court for the Southern District of Texas (the “Southern District of Texas”) against Debtor 24 Hour Fitness USA, Inc. (the “Defendant Debtor”); and the Court, having found that notice of the Motion and the hearing on the Motion was proper under applicable rules of procedure and provided adequate notice of the Motion and the hearing on the Motion to all parties in interest; and the Court, having found that cause exists under 11 U.S.C. § 362(d) to grant relief from stay as requested by Movant; and the Court having found that it is in the best interests of the Debtors’ estates to grant relief from stay to allow the Movant to continue litigation of his claims in the SD Texas Action for the purpose of liquidating the amount of such claims, collecting on any judgment entered from any available insurance proceeds under any applicable liability insurance, and filing a proof of claim in liquidated amounts to the extent that insurance does not fully satisfy Movant’s claims against the Defendant Debtor; it is hereby

ORDERED, that the Motion is GRANTED, and it is further

ORDERED, that the automatic stay of 11 U.S.C. § 362(a) is hereby terminated, effective immediately, to allow Movant to fully prosecute his claims against the Defendant Debtor in the SD Texas Action to conclusion, including through final judgment and any and all appeals therefrom; and it is further

ORDERED, that the automatic 14 day stay provided by Federal Rule of Bankruptcy Procedure 4001(a)(3) is hereby waived upon entry of this order on the Court's docket.